

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	Criminal Action Number:
	:	1:19-CR-57
v.	:	
	:	
PETER LE (1), JOSEPH	:	May 6, 2022
DUK-HYUN LAMBORN (5), TONY	:	9:24 a.m.
MINH LE (8), YOUNG YOO (13),	:	
	:	
Defendants.	:	
	:	
.....	:	

TRANSCRIPT OF JURY TRIAL PROCEEDINGS
(Verdict)
BEFORE THE HONORABLE LIAM O'GRADY,
UNITED STATES DISTRICT COURT JUDGE

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by computer-aided transcription.

AFTERNOON SESSION, MAY 6, 2022

(12:36 p.m.)

THE COURTROOM CLERK: Court calls *United States of America versus Peter Le, Joseph Duk-Hyun, Lamborn, Tony Minh Le, Young Yoo*. This comes on for trial by jury.

THE COURT: All right. I understand we have a verdict. Are we ready to return the verdict?

MR. TRUMP: Yes, Your Honor.

THE COURT: I see all parties and defendants and lawyers are present. All right. Ira, let's get our jury, please.

(Jury in at 12:38 p.m.)

THE COURT: All right. Please, have a seat. Mr. Foreperson, has the jury reached a verdict.

THE FOREPERSON: Yes, we have.

THE COURTROOM CLERK: Would you please hand it to the court security officer.

THE COURT: All right. Will the defendants please rise. The United States versus Tony Le, with respect to Count 1, the conspiracy to conduct and participate in the conduct of an enterprise, the jury finds Tony Le guilty.

With regard to Count 6, the conspiracy to distribute controlled substances, the jury finds Tony Le guilty, including marijuana, THC products, cocaine, and marijuana plants at 1,000 kilograms or more of marijuana; 1,000 or more marijuana plants, and 500 grams or more of cocaine.

1 As to Count 14, with respect to possessing a destructive
2 device in furtherance of a drug trafficking offense, the jury
3 finds Tony Le not guilty.

4 With regard to Count 15, the possessing a destructive
5 device in furtherance of a drug trafficking offense, the jury
6 finds Tony Le not guilty.

7 With respect to Joseph Lamborn, on Count 1, the conspiracy
8 to conduct and participate in the conduct of an enterprise, the
9 jury finds Joseph Lamborn guilty.

10 As to Count 3, murder in aid of racketeering activity, the
11 jury finds the defendant guilty.

12 Count 4, conspiracy to kidnap, the jury finds Defendant
13 Joseph Lamborn guilty.

14 With respect to Count 5, kidnapping resulting in death,
15 the jury finds Joseph Lamborn guilty.

16 With regard to Count 6, conspiracy to distribute
17 controlled substances, the jury finds Joseph Lamborn guilty of
18 marijuana, cocaine and THC products; 1,000 kilograms or more of
19 marijuana, less than 500 grams of cocaine.

20 With regard to Count 7, as to whether Defendant Joseph
21 Lamborn was engaged in a conspiracy to manufacture or distribute
22 1,000 marijuana plants or more, the jury finds the defendant
23 guilty.

24 With respect to Count 7, killing while engaged in drug
25 trafficking, the jury finds the defendant guilty.

1 With respect to Count 13, using, carrying, brandishing,
2 and discharging a firearm resulting in death, the jury finds
3 Joseph Lamborn guilty.

4 In answer to Count 13, whether the defendant used and
5 carried and brandished and discharged a firearm during and in
6 relation to a drug trafficking crime; that is, a conspiracy to
7 distribute controlled substances in violation of Title 21,
8 Section 841 and 846, the jury finds the defendant, Joseph
9 Lamborn, guilty.

10 With regard to whether the defendant used, carried,
11 brandished and discharged a firearm during and in relation to a
12 crime of violence, a murder in aid of racketeering activity in
13 violation of Title 18, Section 1959(a)(1), as set forth in Count
14 3, the jury finds the defendant, Joseph Lamborn, guilty.

15 With respect to Peter Le, as to Count 1, conspiracy to
16 conduct and participate in the conduct of an enterprise, the jury
17 finds Peter Le guilty.

18 With respect to Count 3, murder in aid of racketeering
19 activity, the jury finds Peter Le guilty.

20 Count 4, conspiracy to kidnap, the jury finds Defendant
21 Peter Le guilty.

22 With regard to Count 5, kidnapping resulting in death, the
23 jury finds Peter Le guilty.

24 With regard to Count 6, conspiracy to distribute
25 controlled substances, the jury finds Peter Le guilty, including

1 marijuana, THC products, LSD, marijuana plants, Xanax, and
2 cocaine, including 1,000 kilograms or more of marijuana, 1,000
3 marijuana plants or more, 500 grams or more of cocaine.

4 With regard to Count 7, whether the defendant was engaged
5 in a conspiracy to manufacture or distribute 1,000 marijuana
6 plants or more, or 1,000 kilograms or more of marijuana or
7 5 kilograms or more of cocaine, as determined in Count 6, the
8 jury finds Peter Le guilty.

9 With regard to Count 7, killing while engaged in drug
10 trafficking, the jury finds the defendant, Peter Le, guilty.

11 With regard to Count 8, maintaining a drug-involved
12 premises, the jury finds the defendant, Peter Le, guilty.

13 With regard to Count 9, maintaining a drug-involved
14 premises, the jury finds Peter Le guilty.

15 With respect to Count 10, maintaining a drug-involved
16 premises, the jury finds the defendant, Peter Le, guilty.

17 With respect to Count 11, distribution of cocaine, the
18 jury finds the defendant, Peter Le, guilty.

19 With respect to Count 12, distribution of marijuana, the
20 jury finds the defendant, Peter Le, guilty.

21 With respect to Count 13, using, carrying, brandishing and
22 discharging a firearm resulting in death, the jury finds the
23 defendant, Peter Le, not guilty.

24 With respect to Count 16, using, carrying, and possessing
25 a firearm during a drug trafficking offense, the jury finds Peter

1 Le guilty.

2 With respect to Count 21, conspiracy to commit money
3 laundering, the jury finds the defendant, Peter Le, guilty.

4 With respect to Young Yoo, on Count 1, conspiracy to
5 conduct and participate in the conduct of an enterprise, the jury
6 finds the defendant, Young Yoo, guilty.

7 With respect to Count 3, murder in aid of racketeering
8 activity, the jury finds Defendant Young Yoo guilty.

9 With respect to Count 4, conspiracy to kidnap, the jury
10 finds the defendant, Young Yoo, guilty.

11 With respect to Count 5, kidnapping resulting in death,
12 the jury find the defendant, Young Yoo, guilty.

13 With respect to Count 6, conspiracy to distribute
14 controlled substances, the jury find the defendant, Young Yoo,
15 guilty: Marijuana, THC products, cocaine, Xanax, and marijuana
16 plants, unanimously finds him guilty of distributing 1,000 or
17 more kilograms of marijuana and 1,000 marijuana plants or more,
18 and 500 grams or more of cocaine.

19 With regard to Count 7, whether Young Yoo was engaged in a
20 conspiracy to manufacture or distribute 1,000 marijuana plants or
21 more or 1,000 kilograms or more of marijuana, or 5 kilograms or
22 more of cocaine as determined in Count 6, the jury finds Young
23 Yoo guilty.

24 With respect to Count 7, killing while engaged in drug
25 trafficking, the jury finds the defendant, Young Yoo, guilty.

1 With respect to Count 13, using, carrying, brandishing and
2 discharging a firearm resulting in death, the jury find the
3 defendant, Young Yoo, not guilty.

4 Each of the verdict forms have been signed by the
5 foreperson and dated today's date. Would you poll the jury,
6 please.

7 THE COURTROOM CLERK: Juror Number 9, [REDACTED], is this
8 your verdict?

9 JUROR NO. 9: Yes, it is.

10 THE COURT: Juror Number 18, [REDACTED], is this your
11 verdict?

12 JUROR NO. 18: Yes, it is.

13 THE COURTROOM CLERK: Juror Number 49, [REDACTED]
14 [REDACTED], is this your verdict?

15 JUROR NO. 49: Yes.

16 THE COURTROOM CLERK: Juror Number 32, [REDACTED], is
17 this your verdict?

18 JUROR NO. 32: Yes.

19 THE COURTROOM CLERK: Juror Number 36, [REDACTED]
20 [REDACTED], is this your verdict?

21 JUROR NO. 36: It is.

22 THE COURTROOM CLERK: JUROR NUMBER 9, [REDACTED], is
23 this your verdict?

24 JUROR NO. 9: Yes.

25 THE COURTROOM CLERK: Juror Number 66, [REDACTED],

1 is this your verdict?

2 JUROR NO. 66: Yes.

3 THE COURTROOM CLERK: Juror Number 69, [REDACTED] is
4 this your verdict?

5 JUROR NO. 69: Yes.

6 THE COURTROOM CLERK: Juror Number 8, [REDACTED]
7 is this your verdict?

8 JUROR NO. 8: Yes.

9 THE COURTROOM CLERK: Juror Number 22, [REDACTED]
10 is this your verdict?

11 JUROR NO. 22: Yes.

12 THE COURTROOM CLERK: Juror Number 13, [REDACTED] is
13 this your verdict?

14 JUROR NO. 13: Yes.

15 THE COURTROOM CLERK: Juror number 11, [REDACTED] is
16 this your verdict?

17 JUROR NO. 11: Yes.

18 THE COURT: Please, have a seat. Thank you, ladies and
19 gentlemen. This concludes your service, with our heartfelt
20 thanks. We have a few minutes of work to do here in the
21 courtroom, but if you have time to wait a few minutes so that I
22 can come back and thank you individually back in the jury room,
23 I'd like to do that, and I will understand if you need to be
24 someplace else after having served here for such a long time.
25 You're excused at this time with our thanks.

1 (Jury excused at 12:52 p.m.)

2 THE COURT: All right. Please, have a seat. I'll enter
3 judgment on the verdicts in accordance with their results. I'll
4 order a presentence report for each of the defendants, and I'll
5 continue the case for sentencing. How's either August 19th or
6 August 26th? Is the government available either of those dates?

7 MR. TRUMP: Those would be the only two weeks I can't do,
8 Your Honor. I have no plans yet, but I'm hoping to have plans.

9 MS. MANITTA: Your Honor, I have a prelim in Bristol,
10 Virginia, of all places, on the 19th of August, and I'm supposed
11 to be in a trial on August 26th in Loudoun County.

12 THE COURT: How about September 9th? Does that work?

13 MR. TRUMP: That works, Judge.

14 THE COURT: Okay.

15 MS. MANITTA: September 9th?

16 MR. AMOLSCH: That's fine for Young Yoo, Your Honor.
17 That's fine.

18 MR. SALVATO: I will be starting a trial November 12th,
19 but one of us will be here.

20 MR. AMOLSCH: I can be here.

21 THE COURT: Okay. We'll set sentencings for September 9th
22 at 9:00, and I don't know if we want to stagger them and have
23 two in the morning and two in the afternoon, but we can work on
24 that down the road now that we have an agreeable date. If the
25 parties want to do that, that's fine for me as well.

1 And if you want to file any post-trial motions, then I'll
2 hear them on that date as well and work with the government on
3 dates to file those motions. Mr. Trump.

4 MR. TRUMP: Because there may be victim impacts
5 involved --

6 THE COURT: -- yeah --

7 MR. TRUMP: -- I'd appreciate it if the Court could keep
8 the three defendants together rather than have Ms. Williams and
9 the family come back for two sentencings.

10 THE COURT: Yeah, absolutely. I didn't think about that.
11 Thank you. We'll do so. Mr. Amolsch.

12 MR. AMOLSCH: Yes, Your Honor. If it please the Court, as
13 relates to Mr. Yoo, the only thing that we will request is
14 that -- he was initially at Rappahannock, and it was much easier
15 for us to see him and interact with him there than it is at
16 A.D.C. If it's possible to have him transferred back there now
17 that the trial is completed, that would make our lives
18 substantially easier.

19 THE COURT: Okay. I'll make the request.

20 MR. AMOLSCH: Thank you, Your Honor.

21 MR. JENKINS: Good morning, Your Honor. May it please the
22 Court, Robert Jenkins on behalf of Mr. Tony Le.

23 Your Honor, I appreciate the Court inviting the parties,
24 if they desire, to file any post-trial motions. I think the time
25 limits under Federal Rules of Criminal Procedure 29B would be 14

1 days from today, unless the Court extends the timeline, and I
2 would ask on behalf of Tony Le, with respect to the two counts he
3 was found guilty of, to be afforded 60 days in order to file any
4 motions pursuant to 29B.

5 THE COURT: I think we've got time to do that, and, as I
6 said, work with the government to get a schedule for filing those
7 pleadings so that I get them in time and have time to look at
8 them, but your motion's granted to extend the filing time.
9 Whether it's 50 or 60 days to give the government time to
10 respond, I think we're in May -- June, July -- there's not going
11 to be any problem with that.

12 MR. JENKINS: Yes, Your Honor. Thank you, Your Honor.

13 MS. MANITTA: Your Honor, that's as to all defendants?

14 THE COURT: All defendants, yes.

15 Mr. Yamamoto.

16 MR. YAMAMOTO: Your Honor, Mr. Lamborn is probably going
17 to be moved now that the trial is over. He requests that he be
18 transferred to Rappahannock, if that's possible.

19 THE COURT: Okay. Jason, can you make these requests with
20 A.D.C. or should I do it? Whatever you want me to do.

21 THE DEPUTY MARSHAL: Your Honor, that's not something that
22 I can --

23 THE COURT: Right.

24 THE DEPUTY MARSHAL: -- make the decision on. It would be
25 up to the supervision and coordination with the facilities to see

1 if they can actually accommodate all the defendants.

2 THE COURT: All right. We'll reach out to A.D.C.

3 MS. MANITTA: And I'll echo on behalf of Peter Le. It is
4 a lot easier to be able to see folks at Rappahannock, so if it's
5 possible and they can make it work, we would make the same
6 request because there's almost unfettered abilities there,
7 almost, but it's the best of the bunch.

8 THE COURT: Okay. Mr. Lamborn, I'm going to make sure
9 that you retain your counsel for the sentencing hearing, whether
10 you choose to allocute at the sentencing hearing is up to you,
11 but the way this is going to work now, the -- you're going to
12 have a presentence officer who's going to come and speak to all
13 of you. You may or may not want to speak to that presentence
14 officer, and you need to talk to your counsel about that, and
15 they're going to be putting together a report that will include
16 references to your family and your history and your education, et
17 cetera. There's a lot of information that's important to me in
18 trying to determine the right sentence for you, so be mindful and
19 make sure you consult with your counsel about that. All right,
20 Mr. Lamborn?

21 DEFENDANT LAMBORN: I will.

22 THE COURT: Okay. And that goes, obviously, for everyone
23 else as well. The presentence report is an important document,
24 and listen carefully to your counsel.

25 Anything else?

1 MR. TRUMP: May I consult with counsel for a second?

2 THE COURT: Yes, sir.

3 (Discussion had off the record.)

4 MR. TRUMP: Judge, I think the parties agree that the
5 Court can handle any forfeiture issues at sentencing, and we
6 don't have to bring the jury back for forfeiture issues.

7 THE COURT: Thank you. Since I hadn't -- that wasn't even
8 on my radar. All right. Thank you. All right. The Court's
9 going to recess and go back and thank our jury.

10 All right, Mr. Jenkins.

11 MR. JENKINS: Your Honor, if I could just inquire. I just
12 don't remember. The order, the protective order that's been in
13 place on the first day of trial, is that going to be vacated now?
14 Has it been --

15 THE COURT: I entered an order last evening, I think,
16 vacating that.

17 MR. JENKINS: Thank you, Your Honor.

18 THE COURT: Okay. All right. Thank you, all counsel.

19 (Proceedings adjourned at 1:00 p.m.)
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C E R T I F I C A T E

I, Scott L. Wallace, RDR-CRR, certify that
the foregoing is a correct transcript from the record of
proceedings in the above-entitled matter.

/s/ Scott L. Wallace

1/26/23

Scott L. Wallace, RDR, CRR
Official Court Reporter

Date